

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

In re:

MINING PROJECT WIND DOWN HOLDINGS, INC.
(f/k/a Compute North Holdings, Inc.), *et al.*,¹

Debtors.

) Chapter 11

) Case No. 22-90273 (MI)

) (Jointly Administered)

**DEBTORS' EMERGENCY MOTION FOR STATUS
CONFERENCE REGARDING DEBTORS' SECOND OMNIBUS OBJECTION
TO CERTAIN PROOFS OF CLAIM (EQUITY INTERESTS, SATISFIED CLAIMS)**

Emergency relief has been requested. Relief is requested not later than 9:00 a.m. on February 9, 2023.

If you object to the relief requested or you believe that emergency consideration is not warranted, you must appear at the hearing if one is set, or file a written response prior to the date that relief is requested in the preceding paragraph. Otherwise, the Court may treat the pleading as unopposed and grant the relief requested.

A hearing will be conducted on this matter on February 9, 2023, at 9:00 a.m. in Courtroom 404, 4th floor, Bob Casey United States Courthouse, 515 Rusk Avenue, Houston, Texas 77002.

¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number, include: Mining Project Wind Down Holdings, Inc. (f/k/a Compute North Holdings, Inc.) (4534); Mining Project Wind Down LLC (f/k/a Compute North LLC) (7185); Mining Project Wind Down Corpus Christi LLC (f/k/a CN Corpus Christi LLC) (5551); Mining Project Wind Down Atoka LLC (f/k/a CN Atoka LLC) (4384); Mining Project Wind Down BS LLC (f/k/a CN Big Spring LLC) (4397); Mining Project Wind Down Colorado Bend LLC (f/k/a CN Colorado Bend LLC) (4610); Mining Project Wind Down Developments LLC (f/k/a CN Developments LLC) (2570); Mining Project Wind Down Equipment LLC (f/k/a CN Equipment LLC) (6885); Mining Project Wind Down King Mountain LLC (f/k/a CN King Mountain LLC) (7190); Mining Project Wind Down MDN LLC (f/k/a CN Minden LLC) (3722); Mining Project Wind Down Mining LLC (f/k/a CN Mining LLC) (5223); Mining Project Wind Down Pledgor LLC (f/k/a CN Pledgor LLC) (9871); Mining Project Wind Down Member LLC (f/k/a Compute North Member LLC) (8639); Mining Project Wind Down NC08 LLC (f/k/a Compute North NC08 LLC) (8069); Mining Project Wind Down NY09 LLC (f/k/a Compute North NY09 LLC) (5453); Mining Project Wind Down STHDAK LLC (f/k/a Compute North SD, LLC) (1501); Mining Project Wind Down Texas LLC (f/k/a Compute North Texas LLC) (1883); Mining Project Wind Down TX06 LLC (f/k/a Compute North TX06 LLC) (5921); and Mining Project Wind Down TX10 LLC (f/k/a Compute North TX10 LLC) (4238). The Debtors' service address for the purposes of these chapter 11 cases is 300 North LaSalle, Suite 1420, Chicago, Illinois 60654.

You may participate in the hearing either in person or by an audio and video connection.

Audio communication will be by use of the Court's dial-in facility. You may access the facility at 832-917-1510. Once connected, you will be asked to enter the conference room number. Judge Isgur's conference room number is 954554. Video communication will be by use of the GoToMeeting platform. Connect via the free GoToMeeting application or click the link on Judge Isgur's home page. The meeting code is "JudgeIsgur". Click the settings icon in the upper right corner and enter your name under the personal information setting.

Hearing appearances must be made electronically in advance of both electronic and in-person hearings. To make your appearance, click the "Electronic Appearance" link on Judge Isgur's home page. Select the case name, complete the required fields and click "Submit" to complete your appearance.

The above-captioned debtors and debtors in possession (collectively, the "Debtors") state as follows in support of this motion (this "Motion"):

RELIEF REQUESTED

1. The Debtors hereby request an emergency status conference, to be held at **9:00 a.m. (prevailing Central Time) on February 9, 2023**, with respect to (a) the *Debtors' Second Omnibus Objection to Certain Proofs of Claim (Equity Interests, Satisfied Claims)* [Docket No. 815] "the Claim Objection", and (b) the *Order Denying Claim Objection and Imposing Additional Relief* [Docket No. 861] "the Order".

BACKGROUND AND BASIS FOR RELIEF

5. On January 13, 2023, the Debtors filed the Claim Objection. In support of the Claim Objection, the Debtors submitted the *Declaration of Ryan Mersch in Support of the Debtors' Second Omnibus Objection to Certain Proofs of Claim (Equity Interests, Satisfied Claims)* (the "Mersch Declaration") attached thereto as Exhibit A.

6. On January 24, 2023, Bootstrap filed its *Emergency Motion Under Bankruptcy Rule 3018 to Temporarily Allow \$4.1 Million Class 3 Claim No. 10058 for Voting Purposes* [Docket No. 855] (the “3018 Motion”).

7. Also on January 24, 2023, the Court entered its *Order* [Docket No. 856], ordering the Debtors and Bootstrap to make Rule 11 inquiries into seemingly contradictory verified statements made by each of the respective Parties in support of the Claim Objection and the 3018 Motion.

8. On January 25, 2023, the Debtors and Bootstrap filed their *Joint Statement of Rule 11 Inquiry in Response to Court’s Order* [Docket No. 860].

9. Also on January 25, 2023, the Court entered the Order suspending the estates’ financial advisor, Portage Point Partners, LLC (“Portage Point”), from filing further declarations in this case until it satisfies the Court that it has implemented appropriate procedures to assure that its declarations are trustworthy.

10. Since the Court entered the Order, the Debtors and their professionals have been in dialogue with Portage Point regarding the events that led to the filing of the Claim Objection. The Debtors understand that Portage Point is in the process of implementing the measures requested by the Court to ensure that the claims process is accurately administered and these kinds of issues are avoided going forward. Mr. Mersch has requested that he be allowed to address the Court regarding Portage Point’s efforts in this regard.

11. Accordingly, the Debtors request that the Court hold an emergency status conference at **9:00 a.m. (prevailing Central Time) on February 9, 2023** so that Portage Point can be given an opportunity to discuss these issues on the record.

EMERGENCY CONSIDERATION

12. Pursuant to Local Rule 9013-1(i), the Debtors respectfully request emergency consideration of this Motion. The Debtors request that the status conference be held on February 9, which is less than 21 days from the date of this Motion. The Debtors are moving expeditiously toward the conclusion of these Chapter 11 Cases and significant claims administration work remains to be done. The Debtors will require unrestricted access to their financial advisor in order to fulfill their responsibilities and thus request that the Court set this status conference for February 9 to permit them to address the Court's concerns.

NOTICE

13. Notice of this Motion shall be provided via Court ECF notification upon all parties in these Cases who are entitled to receive such notification, and to each party on the Master Service List. The Debtors respectfully submit that such notice is sufficient and that no further notice of this Motion is required.

[Remainder of Page Intentionally Left Blank]

The Debtors respectfully request entry of an order, substantially in the form attached hereto as **Exhibit A**, setting an emergency status conference, to be held before the Court at **9:00 a.m. (prevailing Central Time) on February 9, 2023**, with respect to (a) the Claim Objection, and (b) the Order.

Dated: February 2, 2023
Houston, Texas

/s/ James T. Grogan III

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Counsel to the Debtors and Debtors in Possession

Certificate of Accuracy

I certify that the foregoing statements are true and accurate to the best of my knowledge. This statement is being made pursuant to Bankruptcy Local Rule 9013-1(i).

/s/ James T. Grogan III
James T. Grogan III

Certificate of Service

I certify that on February 2, 2023, I caused a copy of the foregoing document to be served by the Electronic Case Filing System for the United States Bankruptcy Court for the Southern District of Texas.

/s/ James T. Grogan III
James T. Grogan III